

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

UNITED STATES OF AMERICA

v.

MERRIE ELLEN REID,

Defendant.

)
)
) Case No. 1:03CR00012-2
)

) **OPINION**
)

) By: James P. Jones
) United States District Judge
)

Jennifer R. Bockhorst, Assistant United States Attorney, Abingdon, Virginia, for United States; Nancy Dickenson, Assistant Federal Public Defender, Abingdon, Virginia, for defendant.

On August 27, 2003, I had sentenced defendant Merrie Ellen Reid to 572 months' imprisonment (ECF No. 59), and on December 5, 2005, I dismissed Reid's Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255. *Reid v. United States of America*, No. 7:05CV00370, 2005 WL 3297444, at *1 (W.D. Va. Dec. 5, 2005). More than ten years later, Reid has filed another Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 (ECF No. 103) based on a change in case law. Because Reid has not shown that the United States Court of Appeals for the Fourth Circuit has authorized her to file a successive § 2255 motion, the § 2255 motion must be dismissed without prejudice as successive pursuant to 28 U.S.C. § 2255(h).

DATED: June 21, 2016

/s/ James P. Jones
United States District Judge